



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT

NATIONAL ASSEMBLY

THE HANSARD

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THE HANSARD**SPECIAL SITTING**

(Convened vide Gazette Notice No.15183 of 5th December 2022)

Thursday, 8th December 2022

The House met at 2.30 p.m.

[The Speaker (Hon. Moses Wetang'ula) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Clerk, please ring the Quorum Bell. Where are the Whips? Can you go and whip Members?

(The Quorum Bell was rung)

(Several Hon Members walked into the Chamber)

Order! We now have quorum to transact our business.

MESSAGE

ESTABLISHMENT OF A JOINT PARLIAMENTARY *AD-HOC*
COMMITTEE ON A LEGISLATIVE PROPOSAL TO AMEND THE CONSTITUTION

Order, Hon. Members. We have a Message from the Senate on the establishment of a Joint Parliamentary *ad hoc* Committee on a legislative proposal to amend the Constitution to entrench certain specialised funds. This is the proposal by Hon. Mule and the Member for Gichugu.

Hon. Members, pursuant to the provisions of Standing Order 41, I wish to convey the following Message from the Senate regarding the establishment of an *ad hoc* Committee on a legislative proposal to amend the Constitution to entrench certain specialised funds. The Message conveyed that on Thursday, 1st December 2022, the Senate considered and approved a Motion on the establishment of an *ad hoc* Committee on a legislative proposal to amend the Constitution to entrench certain specialised funds.

The Senate further appointed the following Senators to the Joint Committee:

1. Senator Wakili Hillary Kiprotich Sigei, MP;
2. Senator Raphael Chimera Mwinzago, MP;
3. Senator Veronica Waheti Nduati, MP;
4. Senator Samson Kiprotich Cherargei, MP;
5. Senator William Cheptumo Kipkorir, CBS, MP;
6. Senator Danson Buya Mungatana, MGH, MP;
7. Senator Fatuma Adan Dullo, CBS, MP;
8. Senator Hamida Ali Kibwana, MP;

9. Senator Andrew Omtatah Okoiti, MP;
10. Senator Catherine Muyeka Mumma, MP;
11. Senator Erick Okong’o Omogeni, SC, MP;
12. Senator Paul Karungo Thang’wa, MP (Co-opted); and,
13. Senator (Prof.) Tom Odhiambo Ojienda, SC, MP (Co-opted).

Hon. Members, you will recall that by a resolution made on Thursday, 24th November 2022, this House appointed 11 of its own Members to the Joint Committee. The National Assembly team is led by the Member for Ainabkoi Constituency, Hon. Samuel Kiprono Chepkonga. Now therefore, Hon. Members, the Joint Parliamentary *ad-hoc* Committee on a legislative proposal to amend the Constitution to entrench certain special funds is now fully constituted. I, therefore, urge the Co-Chairs of the Joint Committee to convene the requisite meetings to consider the legislative proposal and keep the House and the public informed on the progress. Thank you.

BILL

First Reading

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL

(Order for First Reading read - Read the First Time and ordered to be referred to the relevant Departmental Committee)

Hon. Speaker: Order, Hon Members. Take your seats. I have something to say about that Bill.

Order! Hon. Members there is a communication on the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.60 of 2022).

COMMUNICATION FROM THE CHAIR

CONSIDERATION OF THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL

Hon. Speaker: Hon. Members, as you may have followed from this afternoon’s Supplementary Order Paper, the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 60 of 2022) has just been read for the First Time. At the cost of stating the obvious, this is an omnibus Bill which seeks to amend various statutes, especially where the amendments do not merit the publication of several separate Bills. I have been informed that this is not a new Bill and, in fact, majority of the amendments proposed were contained in a similar Bill that was introduced in May 2022, but lapsed in the last Parliament.

For clarity, the current Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.60 of 2022), seeks to amend 58 statutes. As is the practice, I refer the Bill to the various Departmental Committees for consideration. I further direct that the main Committee of this Bill will be the Departmental Committee on Justice and Legal Affairs, which has the highest number of statutes under its mandate. All other Committees will, therefore, forward their final reports on consideration of the proposed amendments to statutes to the Justice and Legal Affairs Committee for compilation and subsequent tabling in the House.

Hon. Members, you may further recall that I had suspended Committee sittings until mid-January 2023. However, this does not preclude the House from receiving views from the

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public on matters that require public participation. I, therefore, direct the Clerk to publish a notification in the newspapers and on the Website to enable commencement of public participation on the Bill.

This House is accordingly guided. Thank you.

DELEGATION FROM PARLIAMENT
OF THE REPUBLIC OF UGANDA

Hon. Members I wish to introduce to you a delegation of staff from the Department of Research Services in the Parliament of the Republic of Uganda, who are seated in the Hon. Speaker's Gallery. The delegation comprises of:

1. Mr. Mugabi John Bangonza - Director, Research Services;
2. Ms. Shallon Atuhaire Mugabe - Assistant Director; and
3. Ms. Esther Sandy Namugoji - Research Officer.

Hon. Members, the officers are in the country on a benchmarking visit aimed at, among other things, understanding the research function as applied in the National Assembly of Kenya to support committee services and House business generally. On behalf of the National Assembly and myself, I welcome them to Parliament and wish them a fruitful engagement during the course of their stay. Thank you.

(Applause)

RECOGNITION OF STUDENTS ON VOLUNTARY SERVICE SCHEME

Hon. Members I also wish to recognize students on the Voluntary Service Scheme. I wish to introduce to you a group of students from Starehe Boys Centre and School who are seated in the Hon. Speaker's Gallery. The group of three students is in the National Assembly for a two-week Voluntary Service Scheme, a programme that the Starehe Boys Centre and School has been running over the years during school holidays. The programme ensures the students are given an opportunity to give back to the community through voluntary service during holidays. On our behalf I welcome them to Parliament. Thank you.

(Applause)

Next Order!

MOTION

APPROVAL OF NOMINEES TO NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND COMMITTEES

Hon. Speaker: Let us have the Hon. Leader of the Majority Party. My apologies, I mean the Vice-Chair of the Committee Hon. Tandaza, not the Hon. Leader of the Majority Party.

Hon. Kassim Tandaza (Matuga, ANC): Thank you Hon. Speaker. I beg to move the following Motion:

THAT, pursuant to the provisions of Section 43(4) of the National Government Constituencies Development Fund Act of 2015 and paragraphs 5(2) and (10) of the National Government Constituencies Development Fund Regulations 2016, this House approves the list of nominees for appointment to the following four Constituencies Committees of the National

Government Constituencies Development Fund, laid on the table of the House on Thursday 8th December 2022:

IKOLOMANI CONSTITUENCY (Additional name)

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Gideon Mukhovi Lidwaga	Representative of Persons with Disability	Appointment, pursuant to Sec. 43(2)(d)

MAKADARA CONSTITUENCY

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Joseph Irungu Kibutu	Male Youth Representative	Appointment, pursuant to Sec.43(2)(b)
2.	Martin Ogore Kavaya	Male Adult Representative	Appointment, pursuant to Sec.43(2)(b)
3.	Catherine Nzilani Maingi	Female Youth Representative	Appointment, pursuant to Sec. 43(2)(c)
4.	Rahma Abdi Haji	Female Adult Representative	Appointment, pursuant to Sec.43(2)(c)
5.	Ronald Melkizedek Milare	Representative of Persons Living with Disability	Appointment, pursuant to Sec. 43(2)(d)
6.	Erick Magembe Manduku	Nominee of the Constituency Office (Male)	Appointment, pursuant to Sec.43(2)(e)
7.	Florence Atieno Ogutu	Nominee of the Constituency Office (Female)	Appointment, pursuant to Sec.43(2)(e)

MBEERE NORTH CONSTITUENCY

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Anisia Karimi Ngari	Female Youth Representative	Appointment, pursuant to Sec. 43(2)(c)
2.	Alice Njeri Njoroge	Female Adult Representative	Appointment, pursuant to Sec. 43(2)(c)
3.	James Njoka Njeru	Representative of Persons with Disability	Appointment, pursuant to Sec. 43(2)(d)
4.	Anastasio Njeru Muthathai	Nominee of Constituency Office (Male)	Appointment, pursuant to Sec. 43(2)(e)
5.	Munene Naomi Wanjagi	Nominee of Constituency Office (Female)	Appointment, pursuant to Sec. 43(2)(e)

TURBO CONSTITUENCY

No.	Name	Category	Statutory Provision for Assumption of Position
1.	Sila Kimeli	Male Youth Representative	Appointment, pursuant to Sec.43(2)(b)
2.	Petro Kipkoech Rotich	Male Adult Representative	Appointment, pursuant to Sec.43(2)(b)
3.	Faith Jepkemboi	Female Youth Representative	Appointment, pursuant to Sec. 43(2)(c)
4.	Martha Jepketer	Female Adult Representative	Appointment, pursuant to Sec.43(2)(c)
5.	Dorcas Jerobon	Representative of Persons with Disability	Appointment, pursuant to Sec. 43(2)(d)
6.	Amos Ashikoye Shibuyenje	Nominee of the Constituency Office (Male)	Appointment, pursuant to Sec.43(2)(e)
7.	Jenifer Cheptoo Korir	Nominee of the Constituency Office (Female)	Appointment, pursuant to Sec.43(2)(e)

I request Hon. Majimbo Kalasinga to Second. Thank you.

Hon. Speaker: Hon. Tandaza, you have not said anything about your Motion.

Hon. Kassim Tandaza (Matuga, ANC): Well, this is more or less what we have been doing. These are the last National Government Constituency Development Fund Committees, and for the sake of time, I thought I would ask Hon. Majimbo to second.

Hon. Speaker: So, what you are saying is that the Motion speaks for itself?

Hon. Kassim Tandaza (Matuga, ANC): Yes, exactly; we have done this before.

Hon. Speaker: Where is the Member seconding?

Hon. Majimbo Kalasinga (Kabuchai, FORD) Thank you very much, Hon. Speaker. Before I second, in its record time, this Committee must be thanked...

Hon. Speaker: You must second first before you say anything.

Hon. Majimbo Kalasinga (Kabuchai, FORD): Hon. Speaker, I second this Motion. As I do that, the Committee must be given accolades and we must thank them for their record time of finishing all the constituencies in such a short time. In a few weeks to come, we are going to receive funds in our constituencies, and we need this Committee to run. Currently in our constituencies, we can see many students suffering, and so we need to thank the Committee for a job well done.

Hon. Speaker, we shall prudently run this fund as required.

I thank you, Hon. Speaker.

(Question proposed)

The list is appended to the Motion and Members can read if they wish.

(Question put and agreed to)

SPECIAL MOTION**APPROVAL OF NOMINEES FOR APPOINTMENT AS
MEMBERS OF THE COMMISSION ON REVENUE ALLOCATION**

Hon. Speaker: Chairperson of the Departmental Committee on Finance and National Planning.

Hon. Kimani Kuria (Molo, UDA): Hon. Speaker, the Departmental Committee on Finance and National Planning undertook the approval hearings of seven nominees for appointment as members of the Commission on Revenue Allocation (CRA)...

Hon. Speaker: Hon. Kimani, you move the Motion by saying, "I beg to move the following Motion," and then read the Motion as it is on the Order Paper. After that you can make any comments.

Hon. Kimani Kuria (Molo, UDA): Thank you very much, Hon. Speaker. I stand guided.

Hon. Speaker, I beg to move the following Special Motion:

THAT, taking into consideration the findings of the Departmental Committee on Finance and National Planning in its Report on the Vetting of Nominees for Appointment as Members of the Commission on Revenue Allocation, laid on the Table of the House on Thursday, 8th December 2022, and pursuant to the provisions of Articles 215 and 250 of the Constitution and Section 8 of the Public Appointments (Parliamentary Approval) Act 2011, this House approves the appointment of the following persons as Members of the Commission on Revenue Allocation:

- (i) Mr. Benedict Muasya Mutiso;
- (ii) Mr. Wilfred Koitamet Olekina Nchoshi;
- (iii) Mr. Jonas Misto Vincent Kuko;
- (iv) Dr. Isabel Nyambura Waiyaki;
- (v) Ms. Hadija Nganyi Juma;
- (vi) Dr. George Jalang'o Midiwo; and
- (vii) Hon Fatuma Gedi Ali, CBS.

Hon. Speaker, the Departmental Committee on Finance and National Planning undertook the approval hearings of seven nominees for appointment as members of the Commission on Revenue Allocation (CRA), pursuant to Article 215(2)(b) and (c) of the Constitution and as communicated to this House by yourself on Tuesday, 29th November 2022. Article 215 (2)(b) and (c) of the Constitution as read together with Article 215(3) requires political parties represented in the National Assembly and the Senate to nominate two and five persons respectively, for appointment as members of the CRA from among persons who are not Members of Parliament.

Section 5(1) of the Commission on Revenue Allocation Act No. 16 of 2011 provides that for a person to be a member of the Commission, they must bear the following qualifications:

"(1) A person shall be qualified for appointment as the chairperson or a member if the person:

- (a) holds a degree from a university or an equivalent professional qualification recognized in Kenya;
- (b) has professional experience in financial and economic matters of at least fifteen years in the case of the chairperson and ten years in the case of any other member;
- (c) has had a distinguished career in their respective fields; and,

(d) meets the requirements of Chapter Six of the Constitution.”

Hon. Speaker, on Saturday, 26th November 2022, the leaderships of the Majority and Minority parties in the Houses of Parliament notified the National Assembly of the nominations of the seven nominees for the appointment as members of the CRA. Consequently, on Saturday, 26th November 2022, the matter was referred to our Committee bearing their curriculum vitae and the names of the nominees.

In compliance with Article 118 (b) of the Constitution and Section 6 (4) of the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011, the Clerk of the National Assembly placed an advertisement in the print media on Saturday, 26th November 2022, informing the public of the nomination date, time, and place of the approval hearings in consideration of our Constitution on the requirement of public participation in all government appointments. The public was invited to submit memoranda by way of written submission on oath (affidavit) on the suitability of the nominees in conformity with Section 6 (9) of the Public Appointments (Parliamentary Approval) Act No 33. of 2011. The memoranda were to be received before Friday, 2nd December 2022, by 5. 00 p.m.

All the nominees were cleared by the Kenya Revenue Authority (KRA), the Ethics and Anti-Corruption Commission (EACC), the Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Office of the Registrar of Political Parties.

The Committee undertook public hearings for the seven nominees on Monday, 5th December 2022, from 9.00 a.m. to past 8.00 p.m. The Committee received two petitions or affidavits, one by Mr. Julius Kairu Kiambati and Mr Abass Adam contesting the suitability of Hon. Fatuma Gedi, CBS. The Committee considered the two memoranda that were in the form of written statements contesting the suitability of Hon. Fatuma Ali Gedi, CBS. In the affidavits, the petitioners deponed that the nominee was a member of a governing body of the Jubilee Party, contrary to Article 77(2) of the Constitution, and that she did not possess a university degree. They also deponed that the nominee did not possess the necessary 10 years’ experience in finance and economic matters as contained in the Constitution.

Hon. Speaker, the Committee considered the petitions and observed that the nominee had resigned as the National Chairperson of the Jubilee Party’s Women League, as indicated by a letter from the Registrar of Political Parties. Hon. Fatuma Gedi’s resignation letter and a confirmation from the Registrar of Political Parties have been opined in the Report as contained on our website.

Regarding her qualification as per Section 6 (1) of the Commission on Revenue Allocation Act, this Committee verified that indeed Hon. Fatuma Gedi holds a Bachelor of Commerce Degree in Human Resource Management from Gretsia University. She was awarded this degree in 2017.

Concerning her experience on financial and economic matters for at least 10 years, the Committee established that Hon. Fatuma Gedi served as a Member of the Budget and Appropriations Committee between 2017 and 2022, and as the Chairperson of the Departmental Committee on Delegated Legislation during the same period. In addition, Hon. Fatuma Gedi had served as an account assistant in various firms and Non-Governmental Organisations (NGOs) in this country. We ascertained that cumulatively, Hon. Fatuma Gedi had more than 10 years of experience in financial and economic matters, therefore fulfilling the requirements of the Constitution for appointment as a member of the CRA.

Regarding the second nominee, Mr. Benedict Muasya Mutiso, he holds a Bachelor’s Degree in Finance from the Catholic University of Eastern Africa (CUEA). He has had a very decorative career of more than 17 years, 10 of which were in public service specifically working with the KRA as a compliance manager. In addition, he has been practising as a consultant in several businesses and, therefore, has more than 10 years of experience in financial matters.

Regarding Dr. George Midiwo, he has a decorated career as a medical doctor holding a Masters' Degree in Public Health. He has worked in management for the National Hospital Insurance Fund (NHIF) for more than 10 years. He is an immediate former Chief Officer in Siaya County Government. He has worked in hospitals including Mbagathi Hospital. He holds a bachelor's degree from a university in Russia and, therefore, fulfilling the requirement of holding a bachelor's degree and more than 10 years financial experience.

Regarding Ms. Hadija Nganyi Juma, she holds a Bachelor's Degree in Sociology and IT from Maseno University; and a Higher Diploma in Early Childhood Development Education (ECDE) from the University of Nairobi.

Hon. Speaker, we were able to establish that Ms. Juma has 12 years of experience from the time she was a clerk with the Ministry of Labour, Social Security and Services, where she oversaw the digitisation of the social fund we pay to the old people.

We had a chance to listen to Dr. Isabel Nyambura Waiyaki. Until now, Dr. Waiyaki is a director with NG-CDF Board. She holds a Bachelor's Degree in Economics from the University of Nairobi, and it is important to note that this lady had honours in her Economics degree. She holds a doctorate in Economics from the University of Nairobi, and Master of Arts in Leadership and Governance from Pan-African Christian University. We were able to establish that Dr. Waiyaki has worked extensively in various government organizations. She has done consultancy on matters of economics and finance and has an accumulated experience of more than 11 years in policies related to health, planning, trade negotiations and the economy.

We listened to Mr. Jonas Kuko, who was a candidate who started his career from getting a certificate to getting a diploma and earning a bachelor's degree in Agriculture in Farm Technology from Egerton University. Mr. Kuko has worked as a Principal for Chebororwa Agricultural Training College, and demonstrated to have prudently used the funds that were allocated to the institution and winning, four years in a row, as the Principal of the Year. In addition, Mr. Kuko served in the Rural Electrification Authority (REA) as a board director and, therefore, having accumulated financial and economic experience of around 15 years.

Regarding Mr. Wilfred Koitamet ole Kina, this was one the people that led to the constitutional change in this country, having served as the Chairperson of the Constitution of Kenya Review Commission (CKRC). He served again as the Deputy Coordinator for Crisis Response Centre at the Office of the former Prime Minister. Has served on the Kenya Tourism Board (KTB) as an Executive Director; founder of the Maasai Education Discovery, and most recently as a board member for the Kenya Institute for Public Policy Research and Analysis (KIPPRA). He holds an Executive Master's Degree in Public Policy and Administration, and a Bachelor's Degree in Philosophy and Literature from Kenyatta University. All the seven nominees met the requirements of the Constitution in terms of their academic qualifications and academic performance.

Pertaining to Chapter Six of the Constitution, we were able to receive information from all the government agencies, including the Director of the DCI, the EACC and all those others confirming their suitability to be commissioners with the CRA. It is important to thank the members who sat through the long meetings to make sure that we vetted these nominees, because the term of the current CRA commissioners ends on 31st December 2020. Therefore, this Sitting was extremely important, and I really want to thank the Members of Finance and National Planning Committee for sitting through long hours and objectively vetting these commissioners.

With those many remarks, Hon. Speaker, I beg to move and ask the Hon. Vice-Chairperson of the Departmental Committee of Finance and National Planning, CPA Amb. Lang'at to second.

I move.

Hon. Speaker: Benjamin Lang'at

Hon. Benjamin Lang'at (Ainamoi, UDA): Thank you, Hon. Speaker. I rise to second this Report. I want to join my Chairperson in thanking the members of Finance and National Planning Committee for the Sitting we had on Monday. We had a very long sitting from 10.00 a.m. to 7.30 p.m. I want to say to the members, thank you very much.

Secondly, in conducting this exercise, we were guided by the Constitution of Kenya 2010. Generally, and more specifically, we were guided by the Public Appointments (Parliamentary Approval) Act No. 33 of 2011, and the CRA Act. We subjected the nominees to the usual test which is recommended by the Public Appointments (Parliamentary Approval) Act No. 33 of 2011. One of the tests was a procedural test. We sought to confirm whether the procedures were followed in the appointment, and they all passed the test.

Number two, we subjected them to academic qualifications test, which is recommended by the CRA Act, and all of them qualified. Number three was the integrity test. All of them were cleared by our institutions of integrity, from Director of the DCI, the EACC, and the KRA. Number four, we subjected them to suitability test. They appeared before us; we asked them different questions, and all of them in their own special ways, presented themselves well. They showed that they knew what they were going to do. They showed that they knew the mandate of CRA and, therefore, they passed the test. All of them, having passed all those tests, our committee recommended them to this House for approval. That is why we are asking this House to support the Report, approve the nominees and let us release them to go and start settling in.

The CRA is a very important institution; the climax of the 2010 Constitution lies around here, because it is all about sharing of resources between the national Government and the county governments. It is about allocating the shared resources among the 47 counties of our country. This is a very important institution. The Commissioners are going to be performing a very important duty for our Republic. We are asking them to go and come back with a formula for sharing resources that is fair and acceptable to all the people of Kenya. I know we might not get 100 per cent, but they must be fair to ensure that everyone in Kenya, as per the mantra of the CRA, that no Kenyan should be left behind, is taken care of across our counties.

Hon. Speaker, I want to ask the House to support the Report. They are going to do a very important job, and they promised to work with us, as a House, so that we achieve the objectives of this Commission. The functions of the Commission are clearly set out in Article 216 of our Constitution; the main one being sharing of revenue both vertically and horizontally. Vertical in the sense of sharing between national and county governments, and among the counties.

I want to ask the House to support the Report, approve the nominees and release them to go and start settling in and do the job for this country.

Hon. Speaker, with those few remarks, I second.

Hon. Speaker: Order, Hon. Members. Hon. Members, I propose the Question.

(Question proposed)

Let me hear Hon. Wandayi, then I will put the Question.

Hon. Opiyo Wandayi (Ugunja, ODM): Hon. Speaker, I can understand and appreciate the mood, because people are also in Christmas mood.

(Members spoke off record)

Hon. Speaker: Hon. Members, you know Hon. Wandayi left here last time in a very foul mood. So, allow him to speak today.

(Laughter)

Hon. Opiyo Wandayi (Ugunja, ODM): You may want to hear from me if the mood has since changed or not.

Hon. Speaker, let me start by appreciating the fact that you are back here. I saw you in the morning in the television exercising your power to vote; you did vote and that is truly democratic and patriotic.

I have very few words on this Report. At the outset, I will support.

(Applause)

I will support it based on two things: one, is that the minority Members in that Committee who are well experienced and able are led by the veteran, Hon. Adan Keynan and others, and have been able to convince me that the seven nominees passed the test. However, I can speak more authoritatively on the three nominees from our side, because I happen to know them at a personal level. I believe the other four from the other side equally passed the test.

Hon. Speaker, our three nominees are Mr. Wilfred Koitamet ole Kina, the indomitable Hon. Fatuma Gedi, and Dr. George Jalang’o Midiwo. I have no doubt whatsoever that these three eminent patriotic Kenyans deserve the opportunity to serve in the CRA. This is not because they are Kenyans who deserve so, but also because they have the capacity which is proven from their record and history.

Hon. Members: Cousin! Cousin!

Hon. Opiyo Wandayi (Ugunja, ODM): I can hear people shouting “cousin, cousin!” I do not know who is whose cousin? We are all cousins to one another.

(Laughter)

If you look at it from the point of view of anthropology, we are essentially cousins to one another.

Hon. Speaker, these are Kenyans, including those other four, who I believe are going to take CRA to the next level. The CRA is a Commission with an onerous responsibility under the Constitution. Article 203 of the Constitution on allocation of these revenues between the two levels of Government is so critical, and it is important that we do not have a vacuum. We all know the term of service of the outgoing Commissioners is coming to an end on 31st December this year, some few days from now. It is, therefore, incumbent upon this House to ensure that no vacuum ever exists in the CRA, because if it does, you will end up jeopardising the serious matter of allocation of revenue between the levels of national Government and the counties.

Without much ado, I would plead that we take the shortest time possible on this matter, and approve these seven nominees so that we can go to work.

Thank you.

(Loud consultations)

Hon. Members: Put the Question!

Hon. Speaker: Is it the wish of the House that we put the Question?

(Loud consultations)

I will allow Hon. (Dr.) Makali Mulu a few minutes to say something.

Hon. (Dr.) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Speaker.

I want to start by thanking the Committee for the proposal to approve these names. The CRA is a constitutional body and when you look at its role, it is supposed to advise on equitable sharing of resources, more so the vertical sharing between the national Government and the county governments. After the vertical sharing, they have a mandate to go to the county level and ensure that the sharing between the counties is also done scientifically and, at the same time, advise on how to raise revenue at that level.

As a House, we have been using CRA Reports to debate our Division of Revenue Bill, and my experience is that we have been facing challenges with the reports of this Commission. This is because when it comes to sharing revenue, at times we have allowed politics to take the front row. The reason why it is very specific that the people joining this Commission must at least have a bachelor's degree is because whatever they do is supposed to be informed by research, so that whatever information they pass to us, as an Assembly, to the Treasury in terms of advisory role and to the Senate, is informed by research. What has happened is that despite that work being done by the Commissioners, at times we have gone for the Intergovernmental Budget and Economic Council (IBEC), and at that level, the figures they propose are normally moderated to accommodate political interests so that we do not release what is expected.

Hon. Speaker: Hon. Chepkonga.

Hon. Samwel Chepkonga (Ainabkoi, UDA): Thank you, Hon. Speaker. Would I be in order to request you, in accordance with Standing Order 95, to call upon the Mover to reply? What my very good friend, Hon. Makali, is saying is a repetition of what the Chairperson has said, which is obvious. These Members need this to be passed quickly. Kindly, allow the Mover to reply and put the Question.

Hon. Speaker: Hon. Members, there is a proposal that I call the Mover to reply. Can I put the Question?

Hon. Members: Yes!

(Question, that the Mover be called upon to reply, put and agreed to)

(Hon. (Dr) Makali Mulu stood up in his place)

Hon. Makali, I have already put the Question. The Mover can now reply. You may now take your seat.

Give the Mover the microphone.

(Hon. (Dr) Makali Mulu spoke off record.)

Hon. Makali, take your seat; your persistence is a misconduct.

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Speaker. I would like to start by thanking Hon. Makali Mulu and request him to read the mood of this House. I want to thank the Members for burning the midnight oil to make it...

Hon. Speaker: Let me hear Hon. Makali.

Hon. (Dr.) Makali Mulu (Kitui Central, WDM): Thank you, Hon. Speaker for your indulgence.

Hon. Speaker, procedurally, I want to beg you that if a Member rises on Standing Order 95, the person speaking should be allowed to conclude, then have the Mover to reply. Hon.

Speaker, I think I am being treated unfairly, because I did not finish my submission. The Mover is being requested to reply while I am on the Floor, and you have even given him the chance.

Hon. Speaker: Order, Hon. Makali.

Hon. Members, the Member who moved for closure said that there was tedious repetition of issues on the Motion, which I also found to be so, and that is why I put the Question. The resolution on whether debate goes on or not is not for the Speaker, but for the House.

Mover, will you reply? The Speaker is not part of the debate in this House.

Hon. Kuria Kimani (Molo, UDA): Thank you, Hon. Speaker. I really want to thank the Members of the Departmental Committee on Finance and National Planning for sacrificing a lot of their time. We called you from your constituencies and we even had to write to our party leadership to excuse us from the Parliamentary Group meeting that we were supposed to hold early in the week. We worked until very late. Some of the researchers who are visiting from the Parliament of Uganda attended our meeting and they lauded us for having proceedings that were very objective, orderly and in line with our Standing Orders and the Constitution. I want to thank the Members that have come to support the approval of these Commissioners so that at the expiry of the term of the old Commissioners, we will have new Commissioners in place. And with that, I beg to reply.

Hon. Speaker: Order, Hon. Members, I will now put the Question.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Order, Hon. Members! Will you be upstanding? This Special Sitting is concluded, and the House stands adjourned until Tuesday, 14th February 2023, at 2.30 p.m.

I wish you a Merry Christmas and a Happy New Year.

The House rose at 3.23 p.m.

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